

REMARKS

The Office Action mailed November 3, 2006 has been received and the Examiner's comments carefully reviewed. Claims 1-32 are currently pending. Applicants respectfully submit that the pending claims are in condition for allowance.

Drawings

The Examiner objected to the drawings and requested that a legend be provided on each of FIGS. 3-12. Applicants respectfully traverse this objection but have amended the drawings accordingly to advance this application to allowance (see attached annotated drawing sheets). Formal drawings are submitted herewith under a separate cover letter. Approval of the drawings, and withdrawal of this objection, is respectfully requested.

Rejections Under 35 U.S.C. §103

I. The Examiner rejected claims 1-2, 8, 10-12, 17, 19-21, 25, 27 and 29 under 35 U.S.C. §103(a) as being unpatentable over Vercruyssen et al. (U.S. Publication 2006/0079135). Applicants respectfully traverse this rejection.

A. Claims 1-2, 8, and 10-11

Claim 1 recites a telecommunications device including a card housing and a circuit board. The circuit board has an upper portion that extends higher than a top wall of the card housing, and a lower portion that extends lower than a bottom wall of the card housing.

The Examiner admits that Vercruyssen does not teach or suggest a circuit board including portions that extend above and below the housing; but states that such a modification involves only a mere change in the size of a component and therefore would have been obvious to a person of ordinary skill in the art. The Examiner points to *In re Rose* for support of this rejection. *In re Rose* is cited in MPEP 2144.04(IV)(A), which addresses case law rejections based upon mere changes in Size/Proportion;" i.e., changes in proportional sizes, relative dimensions, or scaling.

1) Recited printed circuit board limitations are not a mere proportional size change

First, the claimed device does not recite a printed circuit board having a size that is merely a relative/proportional size change or scaling to that of the prior art. A mere change in proportional size or scaling of the prior art, in the context to which MPEP 2144.04(IV)(A) and *In re Rose* pertain, involves enlarging a printed circuit board to fit within a larger housing, for example.

The printed circuit board of claim 1, in contrast, relates to the provision of circuit board portions in regions relative to the outside of the chassis housing. There simply is no teaching in the prior art of providing circuit board portions in regions located above and below the housing, as characterized in claim 1. That is, the recited limitations are not a mere change in proportional size of a prior art device having circuit board portions located outside the housing, for which *In re Rose* stands. It is respectfully submitted the concept for which *In re Rose* stands is not applicable to the recited printed circuit board limitations of claim 1.

2) Purpose for circuit board portions renders obviousness rejection improper

Second, it is improper to rely solely on case law as the rationale to support an obviousness rejection where the criticality of the specific limitation is clearly demonstrated. MPEP 2144.04.

Applicants' specification describes that in many applications, it is desirable to route cables laterally from LINE, POTS and DATA connectors to the sides of a chassis. To allow cables to be routed laterally, the chassis includes upper open side regions located above the top wall, and lower open side regions located below the bottom wall. Pages 10-11, lines 17-4. Accordingly, cable connectors are located above and below the walls of the chassis; and in turn, portions of the printed circuit board on which the cable connectors are mounted, are provided above and below the housing walls. This permits the cable connectors to be accessible from the front, and permits the cables to be laterally routed through the open sides above and below the top and bottom walls of the chassis to enhance cable management. Page 14, lines 9-18.

Because Applicants have clearly demonstrated the criticality of the requirement that the portions of the printed circuit board be located above and below the top and bottom

walls of the chassis, it is improper to rely solely on case law as the rationale to support an obviousness rejection. MPEP 2144.04.

At least for either one of the above reasons, Applicants respectfully submit that independent claim 1, and dependent claims 2, 8 and 10-11 are patentable.

B. Claims 12, 17, and 19-21, 25, 27, and 29

Each of independent claims 12, 21, and 29 recites a circuit board including a portion or portions that extend higher, lower, or beyond a wall of the chassis housing. At least for similar reasons as discussed above with regards to claim 1, Applicants respectfully submit that claims 12, 21, and 29, and the associated dependent claims, are patentable.

II. Claims 3-7, 9, 13-16, 18, 22-24, 26, 28, 30-32 under 35 U.S.C. §103(a) as being unpatentable over Vercruyssen et al. (U.S. Publication 2006/0079135) and further in view of Staber et al. (U.S. Patent 6,996,232). Applicants respectfully traverse this rejection.

Claims 3-7 and 9 depend upon claim 1. Claims 13-16 and 18 depend upon claim 12. Claims 22-24, 26, and 28 depend upon claim 21. Claims 30-32 depend upon claim 29. In view of the remarks regarding independent claims 1, 12, 21, and 29, further discussion regarding the independent patentability of dependent claims 3-7, 9, 13-16, 18, 22-24, 26, 28, 30-32 is believed to be unnecessary. Applicants submit that dependent claims 3-7, 9, 13-16, 18, 22-24, 26, 28, 30-32 are in condition for allowance.

SUMMARY

It is respectfully submitted that each of the presently pending claims (claims 1-32) is in condition for allowance and notification to that effect is requested. The Examiner is invited to contact Applicants' representative at the below-listed telephone number if it is believed that prosecution of this application may be assisted thereby.

Although certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentably distinct. Applicants reserve the right to raise these arguments in the future.



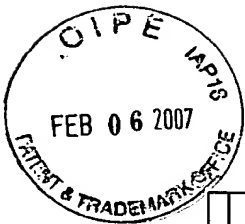
Date: Feb. 2, 2007

Respectfully submitted,

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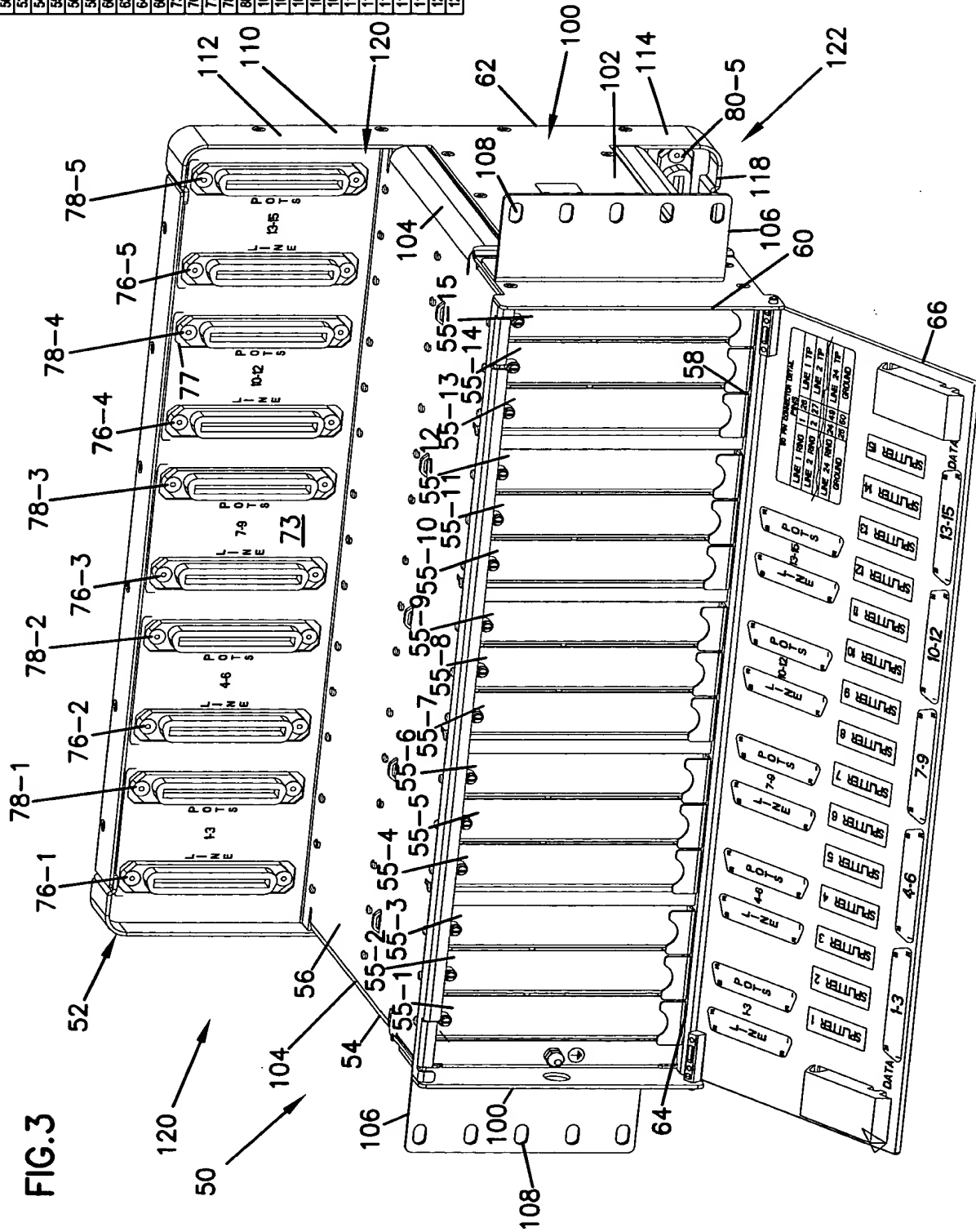
A handwritten signature in dark ink, appearing to read "Karen A. Fitzsimmons". The signature is written in a cursive, flowing style and is positioned above a horizontal line.

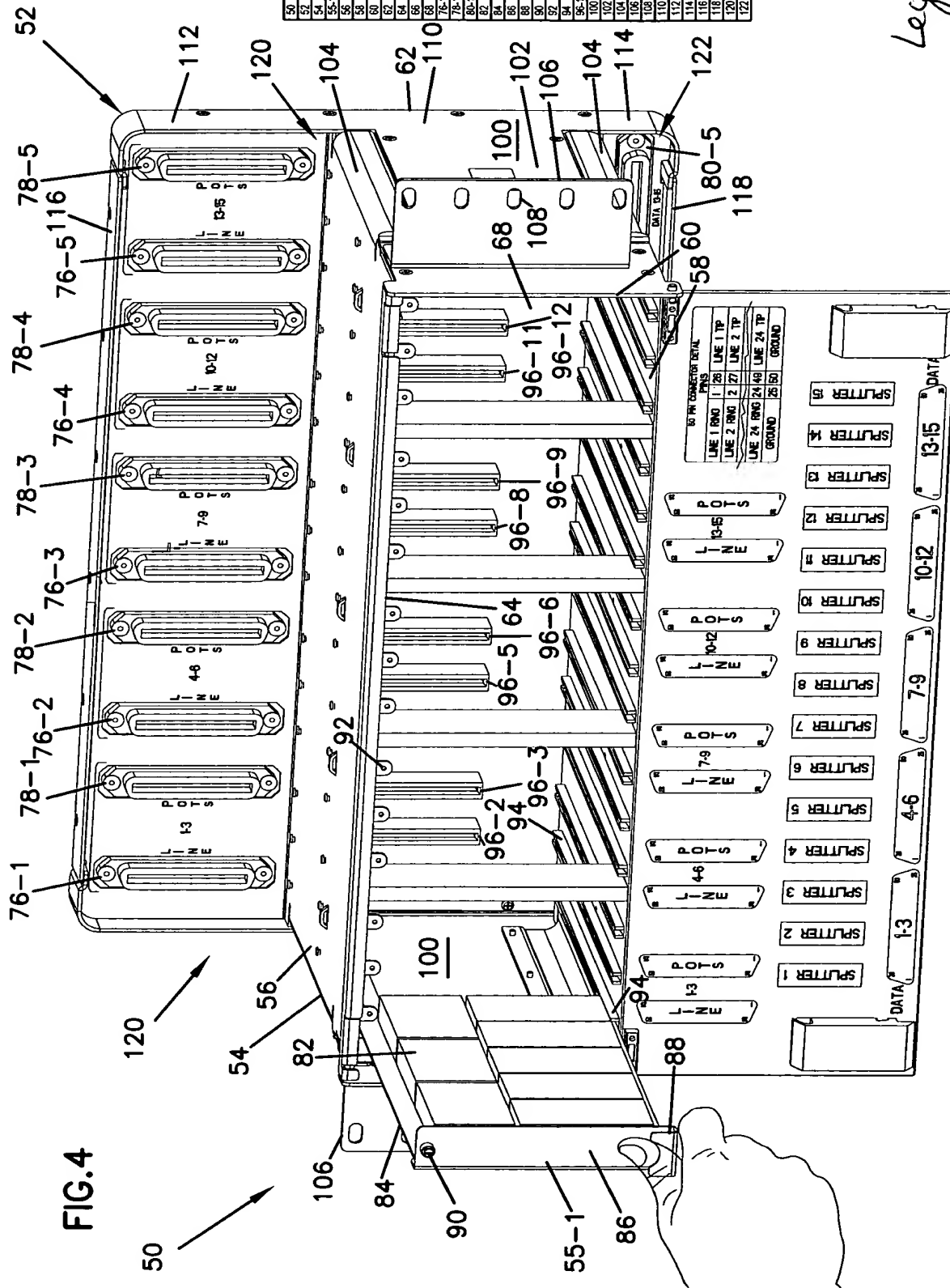
Karen A. Fitzsimmons
Reg. No. 50,470
KAF:cjc



50	Splitter assembly
52	Chassis
54	Card housing
55-1 to 55-15	Splitter card
56	Top wall
58	Bottom wall
60	Front end
62	Back end
64	Access opening
66	Front door
73	Face plate
76-1 to 76-5	Line connector
77	Opening
78-1 to 78-5	POTS connector
80-1 to 80-5	DATA connector
100	Side wall structure
102	Front portion
104	Rounded portions
106	Mounting flange
108	Fastener openings
110	Rear portion
112	Upper extension
114	Lower extension
116	Top support member
118	Bottom support member
120	Side region
122	Side region

Legend
Added





50	Splitter assembly
52	Chassis
54	Card housing
56	Splitter card
58	Top wall
60	Bottom wall
62	Front end
64	Back end
66	Access opening
68	Front door
70	Printed circuit board
72	Line connector
74	POTS connector
76	DATA connector
78	POTS lines
80	DATA lines
82	Splitter
84	Circuit board
86	Face plate
88	Handle
90	Opening
92	Track
94	Card edge connector
96	Side wall structure
100	Front portion
102	Mounting flange
104	Fastener openings
106	Rear portion
108	Upper extension
110	Lower extension
112	Top support member
114	Bottom support member
116	Side region
118	Side region
120	Side region
122	Side region

Legend Added

Legend Added

56	Top well
58	Bottom well
66	Front door
68	Printed circuit board
72	Upper portion
73	Front plate
74	Lower portion
75	Front plate
76-1 to 76-5	Line connector
77	Opening
78-1 to 78-5	POTS connector
79	Opening
80-1 to 80-5	DATA connector
82	Opening
84	Track
86-1 to 86-15	Card edge connector
100	Sub well structure
102	Front portion
104	Rounded portions
106	Mounting flange
108	Fastener openings
110	Riser portion
112	Upper extension
114	Lower extension
116	Top support member
118	Bottom support member
124	Back plate

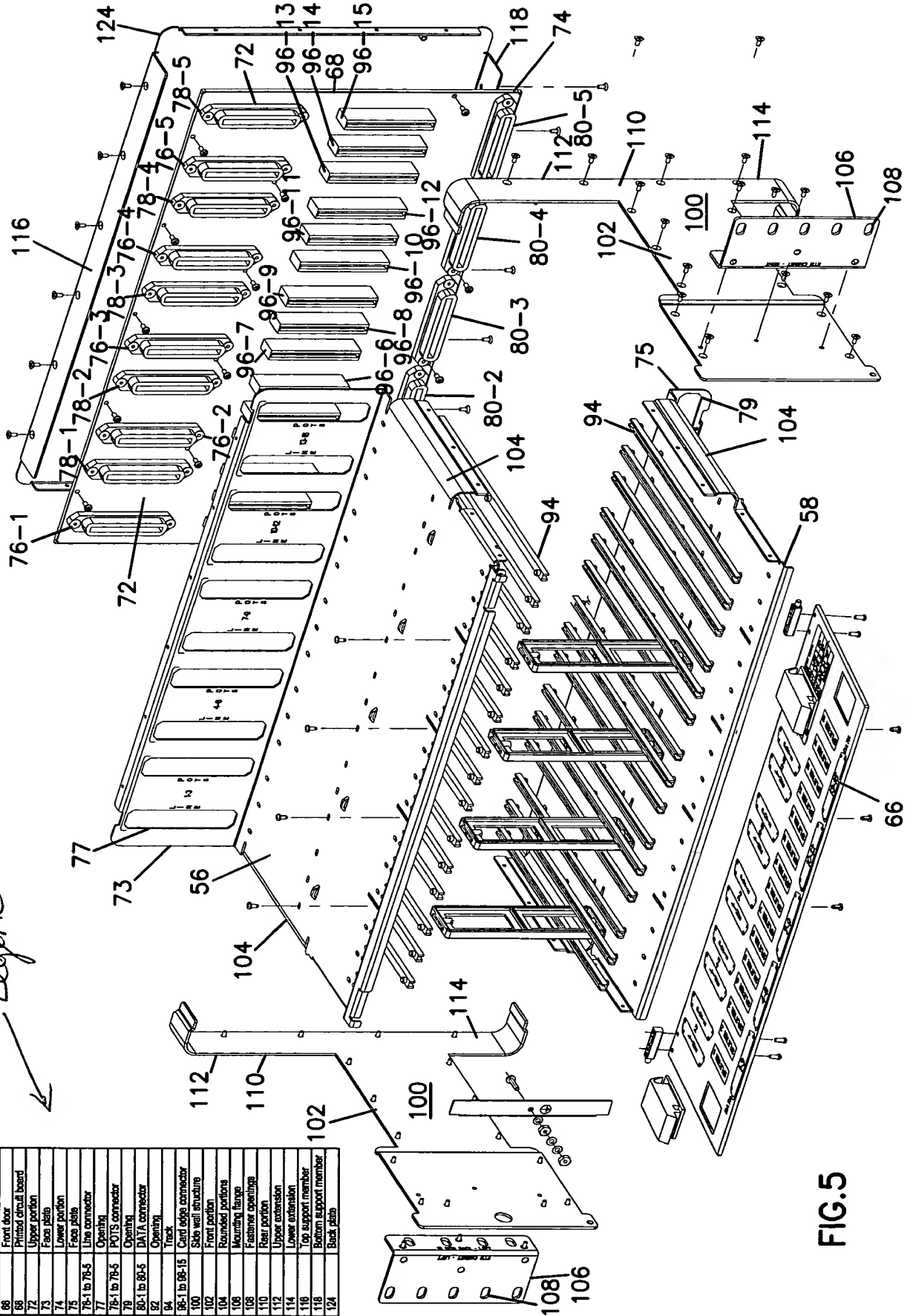


FIG.5

Legend Added

50	Splitter assembly
52	Chassis
56	Top wall
58	Bottom wall
66	Front door
68	Printed circuit board
72	Upper portion
73	Face plate
74	Lower portion
75	Face plate
76-1 to 76-5	Line connector
77	Opening
78-1 to 78-5	POTS connector
79	Opening
80-1 to 80-5	DATA connector
100	Side wall structure
106	Mounting flange
108	Fastener openings
116	Top support member
118	Bottom support member

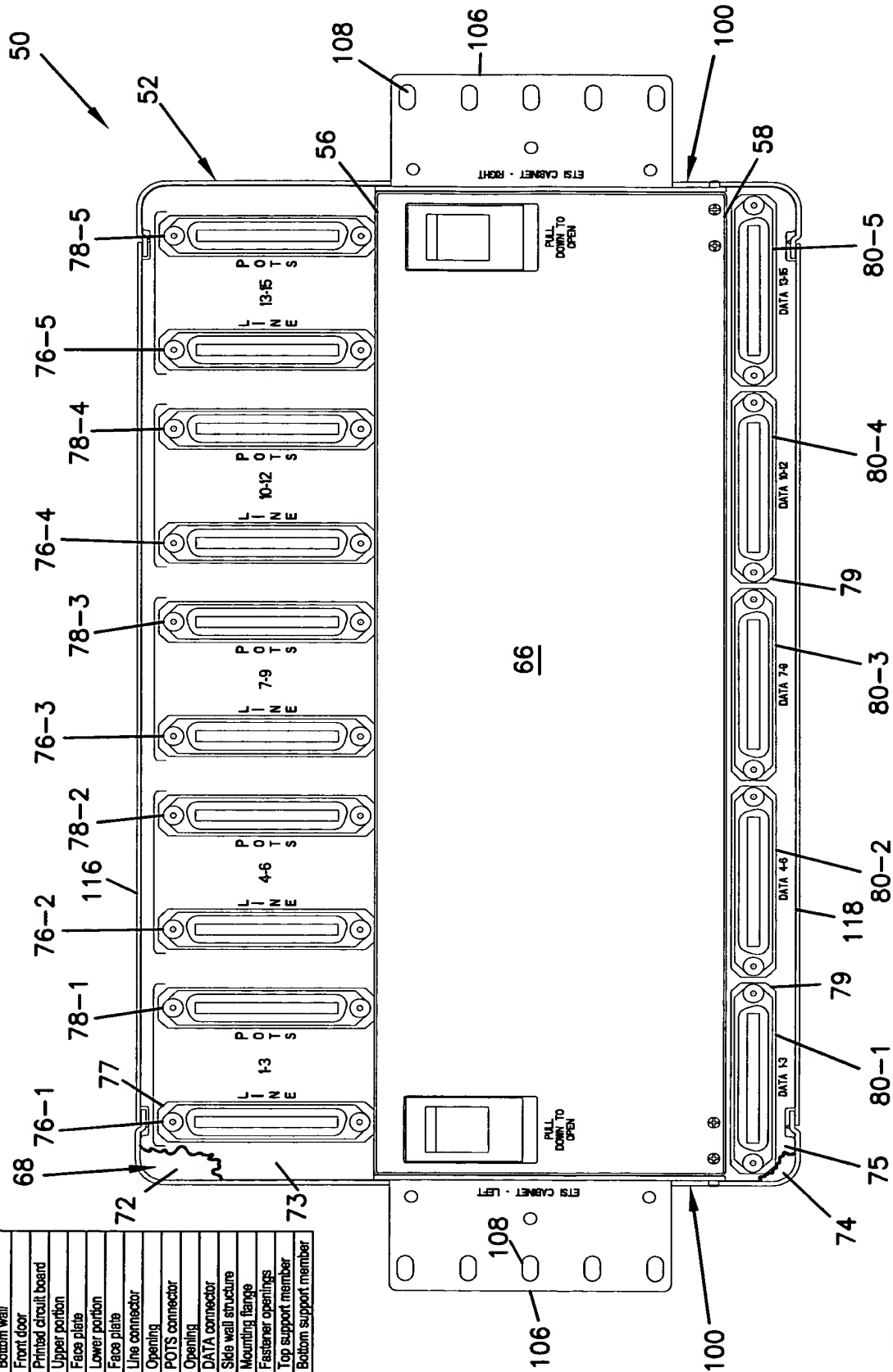


FIG. 6

FIG.7

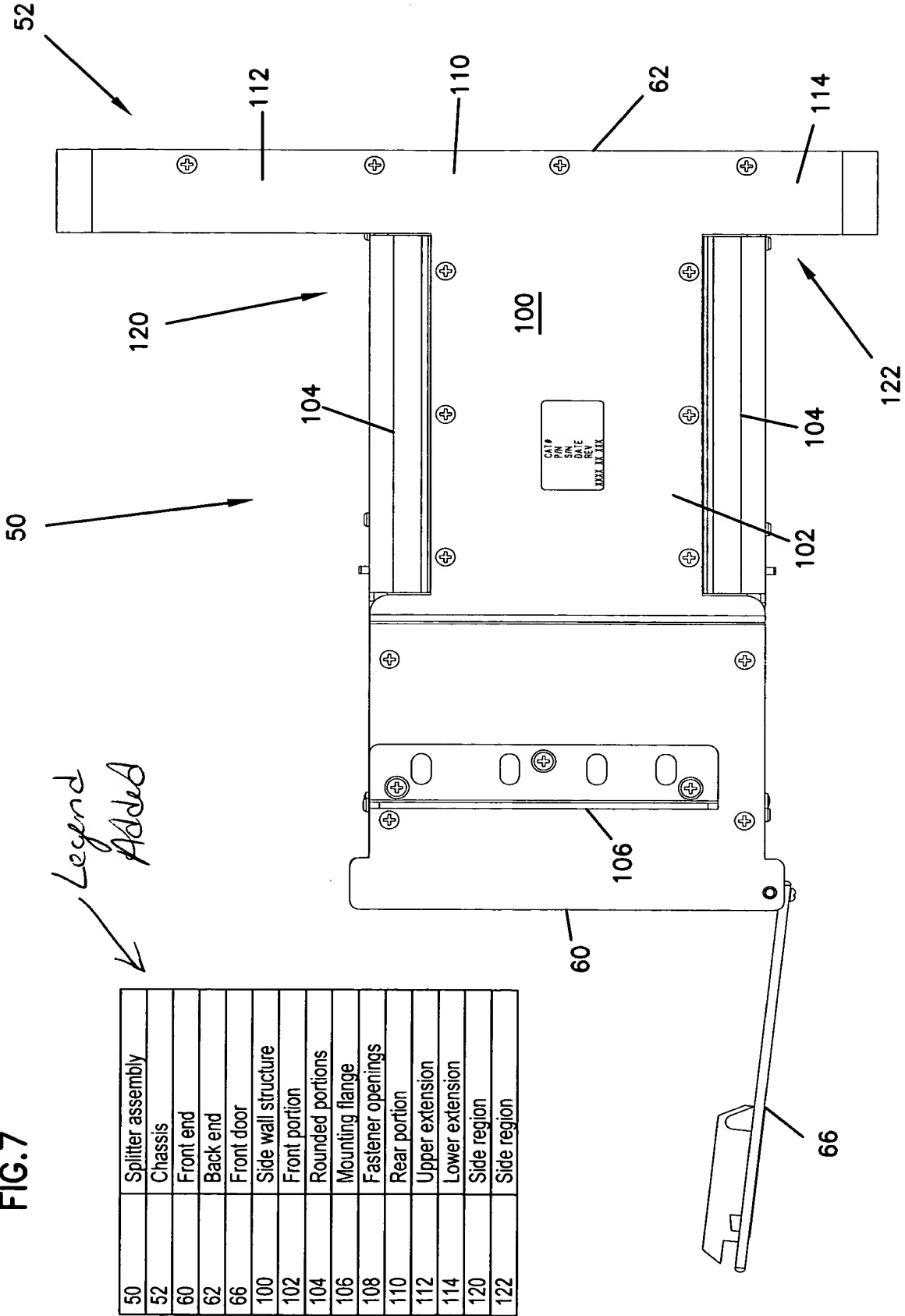
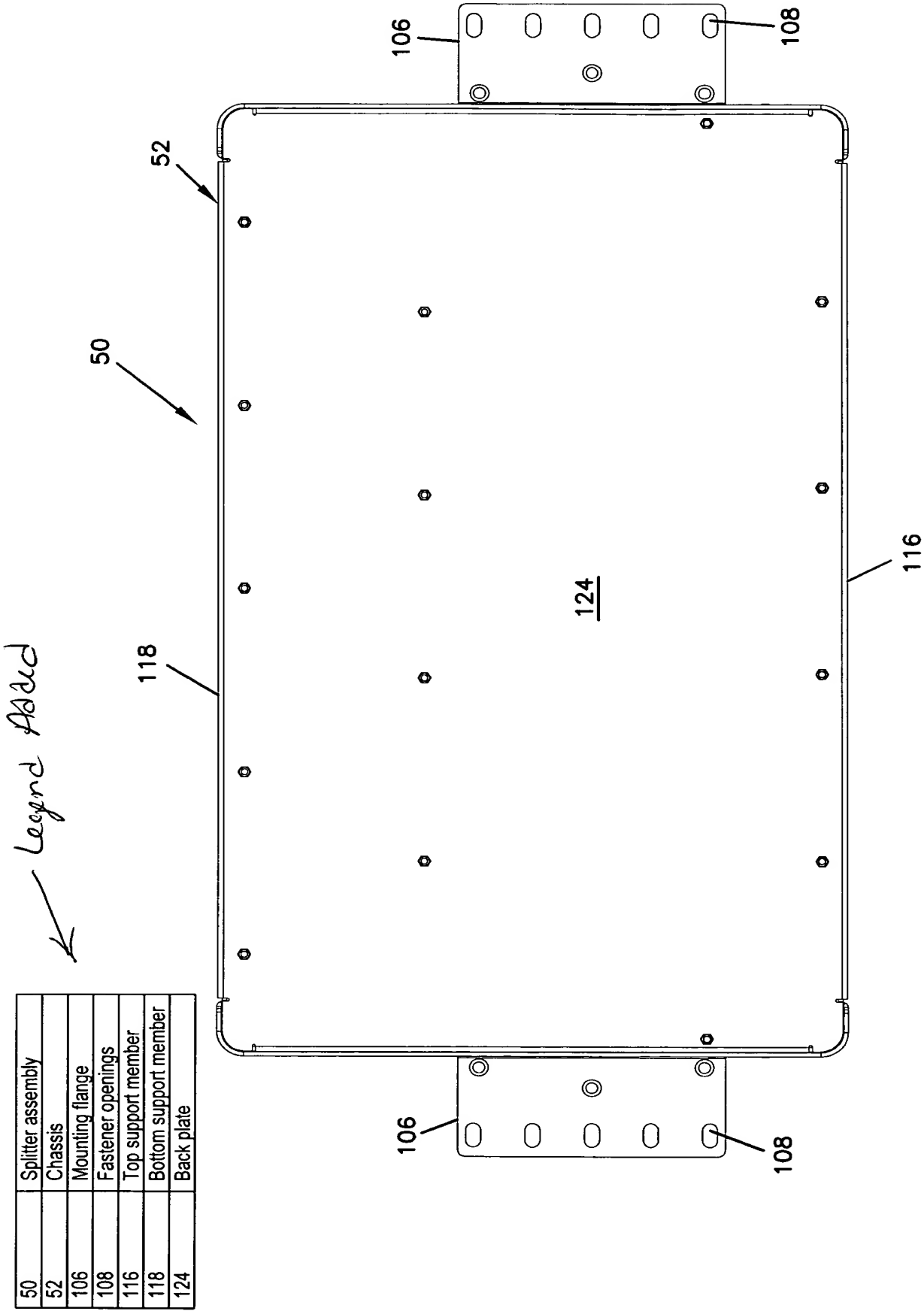
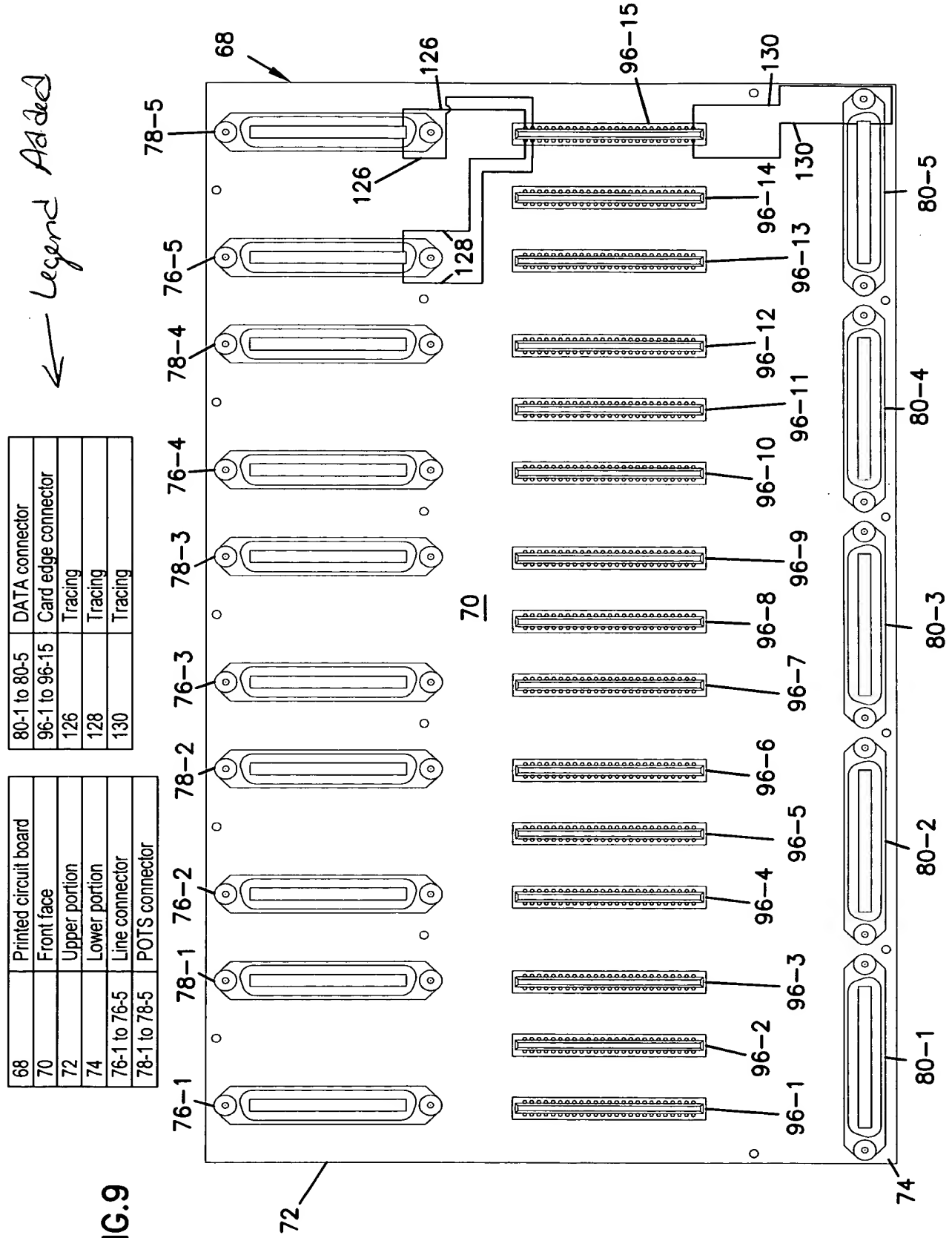


FIG.8

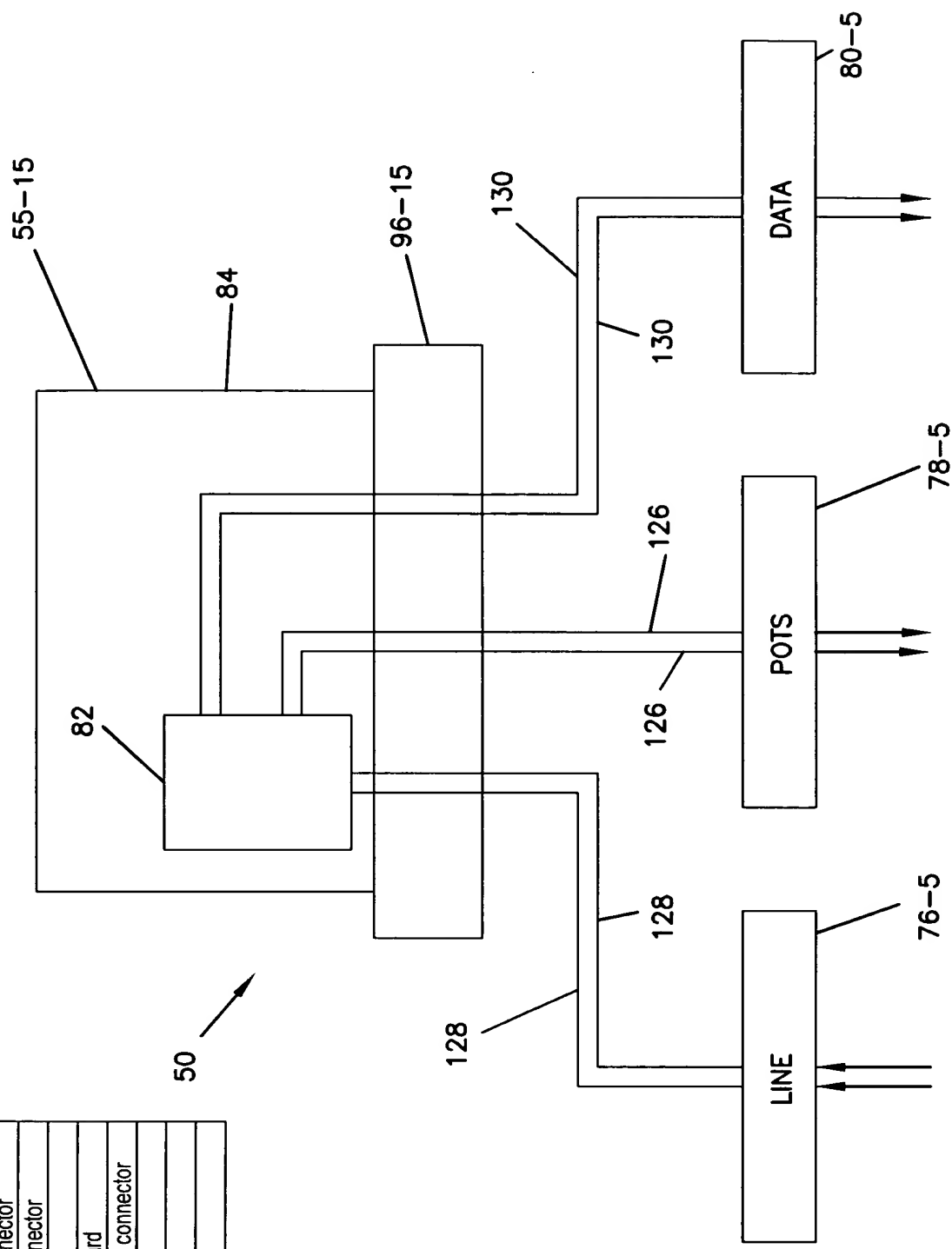




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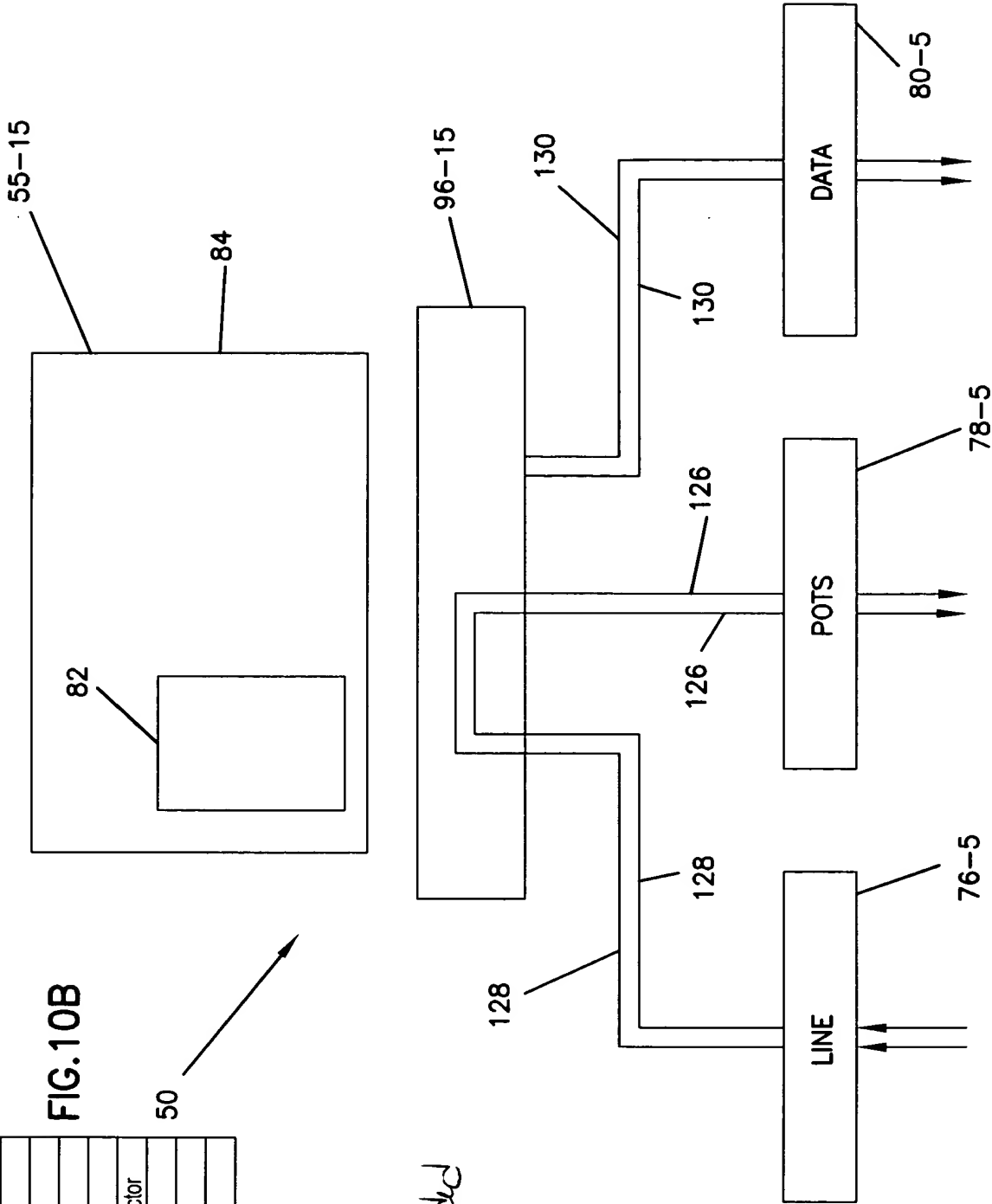
50	Splitter assembly
55-1 to 55-15	Splitter card
76-1 to 76-5	Line connector
78-1 to 78-5	POTS connector
80-1 to 80-5	DATA connector
82	Splitter
84	Circuit board
96-1 to 96-15	Card edge connector
126	Tracing
128	Tracing
130	Tracing

FIG. 10A



50	Splitter assembly
55-1 to 55-15	Splitter card
76-1 to 76-5	Line connector
78-1 to 78-5	POTS connector
80-1 to 80-5	DATA connector
82	Splitter
84	Circuit board
96-1 to 96-15	Card edge connector
126	Tracing
128	Tracing
130	Tracing

FIG.10B



Legend Added

Legend
Added

50	Splitter assembly
56	Top wall
104	Rounded portions
106	Mounting flange
108	Fastener openings
120	Side region
150	Rack or cabinet
151	Fastner
152	Channel member
154	Opening
162	Lance
170	Cable

FIG.11

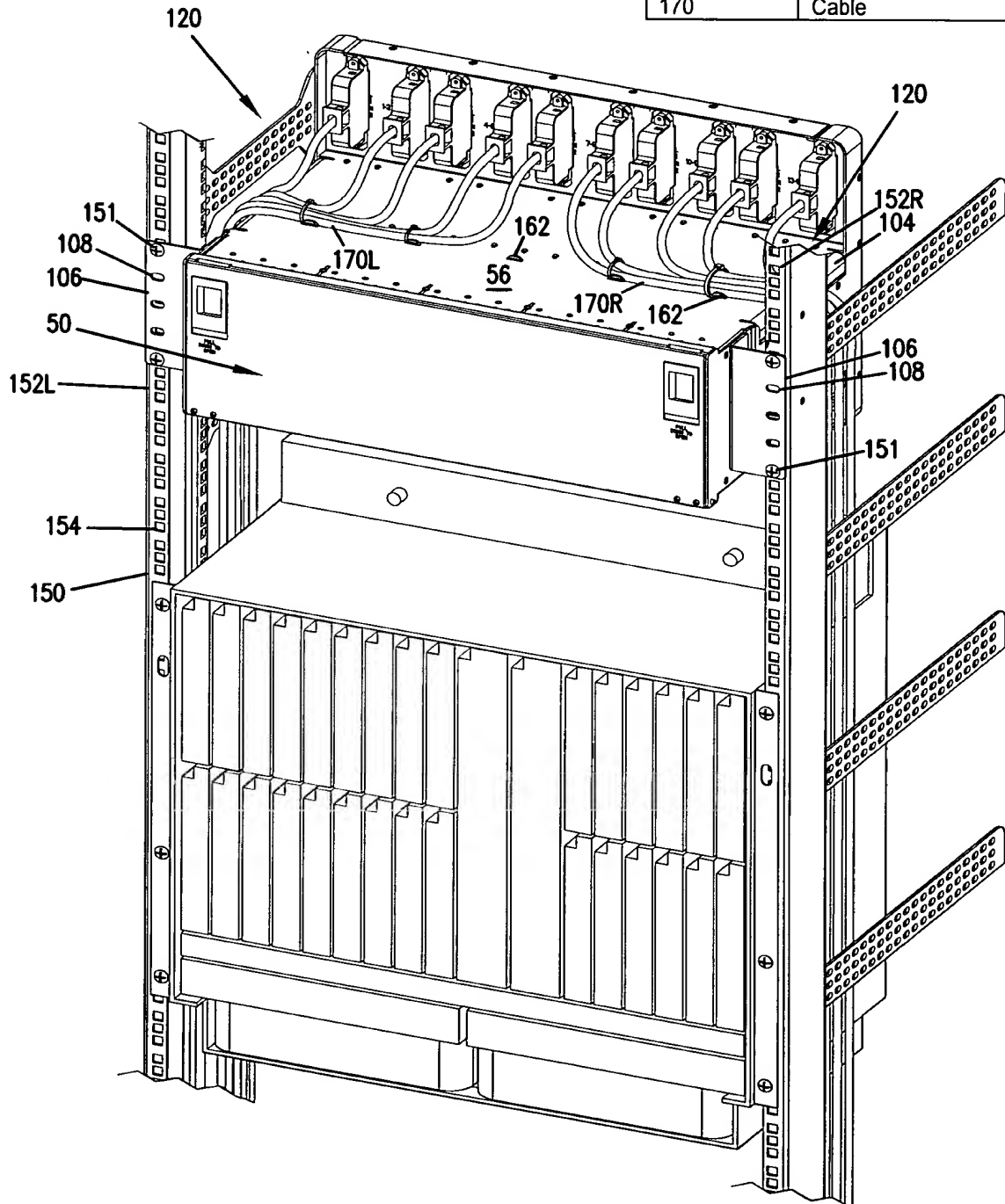


FIG.12

Legend Added →

50	Splitter assembly
52	Chassis
106	Mounting flange
108	Fastener openings
150	Rack or cabinet
152	Channel member
154	Opening
162	Lance
164	DSLAM
168	Lance
180	Cable

